

BOARD OF SELECTMEN

Minutes of

June 25, 2007

Chairman McArdle called the meeting to order at 7:30PM. Board members present were Richard Gandt, Steve Clark, and Boyd Jackson. Richard Carlson was absent. Of the Selectmen's staff, Town Administrator Virginia Wilder, & Donna Rich, Board Secretary, were in attendance. Other persons present were Jane Schraffa and Evelyn Hammond of Topsfield Cable. Present were Heidi Bond and David Bond to announce Street Sign winners. Jaclyn White from the Library, with Library Trustee members: Jim Rossi, Andrew Baumgartner, Robert Boeri, and Beth Johnson to obtain nomination of a new member; David Santomenna, of Essex County Greenbelt to obtain signatures for Deed of Easement. Ethan Forman of the Salem News, Brendan Lewis of Tri Town Transcript; and Alan Berry of CP Berry and Brad Latham of Latham, Latham and Lamond for presentation of South Meadow Homes to be at 12 Boston St.

Announcements: Chairman McArdle announced that the Board would be going into Executive Session at the end of the meeting to discuss the Fire Chief Contract, Park & Cemetery Union Contract, and Highway / Water Union Contract and the Quayle Lawsuit, the Board would not return to open session.

Selectmen Minutes: Selectman Gandt made motion to approve the amended minutes of June 11, 2007 seconded by Selectman Clark; so voted 3-0. Selectman Jackson abstained. Selectman Gandt made a motion to approve the amended Executive Session minutes of June 11, 2007 and to hold until all issues have been resolved; seconded by Selectman Clark; so voted 3-0. Selectman Jackson abstained. Selectman Gandt made a motion to approve the amended Working Session minutes of June 6, 2007; seconded by Selectman Clark; so voted 4-0.

7:40PM: Chairman McArdle welcomed Heidi Bond to address the Board. Mrs. Bond came to announce the winners of the Street Sign for Scholarships. The first round is over and twenty-two Streets were up for bid, ten were bid on with nineteen bids in total. The winners are as follows:

Carol McLaughlin, Topsfield	Central Street	\$200
Cheryl Nelson, Topsfield	Comstock Lane	\$75
Rosemarie Walsh, Topsfield	Grove Street	\$55
Paula Burke, Topsfield	Maple Lane	\$38.01
Cheryl Nelson, Topsfield	Morningside Drive	\$75
Deborah Mahoney, Georgetown	Park Street	\$102
Cheryl Nelson, Topsfield	Pine Street	\$75
Lou & Nancy Olmsted, ME	Prospect Street	\$100
Timothy Gangon, Florida	Rowley Road	\$200
Diane Curley, Peabody	Summer Street	\$40
	Total to benefit the Scholarship Fund:	\$960.56

Mrs. Bond will contact all the winners. The program is expected to take 3 years to complete. The second round of new signs and bidding will begin in September, with new signs coming available every 3-4 months after that.

7:50PM: Chairman McArdle welcomed the Board of Library Trustees. Present were Chairman Jim Rossi, members Andrew Baumgartner, Robert Boeri and Beth Johnson. Mr. Rossi announced that Cynthia Deal had submitted her resignation and that had created a vacancy. They wanted to nominate Jennifer Baker to the Board of Trustees. Ms. Baker has been on the Friends of the Library for the past 4 years, holding the President position during the last year. Mr. Rossi made a motion to nominate Jennifer Baker to the Board of Library Trustees, Andrew Baumgartner seconded. Chairman McArdle announced that in accordance with MA General Law a nomination and vote was required to be taken by each individual on each Board by the Selectmen's Clerk. Selectman Gandt individually took roll-call and requested them to vote. The results of the vote were as follows:

Andrew Baumgartner, Board of Library Trustee	Yes
Robert Boeri, Board of Library Trustee	Yes
Beth Johnson, Board of Library Trustee	Yes
James Rossi, Chairman Board of Library Trustee	Yes
Stephen Clark, Selectman	Yes
A. Richard Gandt, Selectman	Yes
Boyd Jackson, Selectman	Yes
John McArdle, Chairman Selectman	Yes

Vote was unanimous: 8:0.

On another matter, Ms. White addressed the Board to obtain approval of a contract with a new cleaning service. The new company would be a saving of \$8,000. Selectman Gandt made a motion to award the cleaning of the Library to Mathews Cleaning & Painting Company of Ipswich in the amount of \$12,000 for FY08, seconded by Selectman Clark, so voted: 4-0.

8:10PM: Chairman McArdle announced that Bradley Latham of Latham, Latham & Lamond, and Alan Barry of C.P. Berry Homes were present to provide a presentation of the proposed development at 12 Boston St. Alan Berry introduced himself as a local developer and builder, who has entered an agreement with the Trustees of Boston College to purchase the property at 12 Boston St. Mr. Berry further stated that he is proposing an elderly project of 52 units on the 68 acres, which he understands will require Town Meeting approval. His plans include utilizing the existing driveway as the entrance, but proposes to move it 20 Feet to the south on Boston St. Mr. Berry noted that he intends to use a low impact development design to maximize the groundwater retention, and keep as much of a maximum open space area as possible. The units will be similar to Caldwell Farm which CP Berry is in the process of building in Newbury. The Board asked what the price range would be. Mr. Berry stated \$600-800,000. When asked what the expected tax income to the town, a list was provided and is attached. An overview diagram of the development was displayed.

OLD BUSINESS:

T-Mobile Town's Response: Chairman McArdle stated that after a year of conversation, the decisions had been made in Executive Session to move forward with an RFP. The RFP would have to obtain approval at the Annual Town Meeting. Selectman Gandt read the Town's response and it was said that if any citizens have concerns they could contact Selectman Gandt.

Willowdale Easement: Dave Santomenna, of Essex County Greenbelt came forward with the Easement Deed document for the Chairman to sign. The document was to be included along with the gift of the Town's \$50,000 at the closing of the property at 290 Ipswich Rd. scheduled for June 29th. There was some discussion of the wording of the easement as submitted by Kopleman & Paige and edited by Essex County Greenbelt. Selectman Clark made a motion to approve the new version of the Easement document as presented by Essex County Greenbelt, seconded by Selectmen Gandt. Selectman Jackson made a motion to approve a letter written discussing the process by which the gift funds would be distributed to Essex County Greenbelt, Selectman Clark seconded; so voted 4-0.

Housing Authority Governor's Appointee: A letter was received by Alice Sheridan, Executive Director of the Housing Authority requesting a recommendation to be made to the Governor to fill the vacancy on the Housing Authority Board. Selectman Clark made a motion to recommend the appointment of Chairman McArdle to the Governor for the Housing Authority, seconded by Selectman Gandt; so voted 4-0. Chairman McArdle abstained.

Congregational Church Emerson Field: Selectman Clark would recused himself from all involvement regarding the Church as he is a member. Ms. Wilder stated that a letter had been sent to the Church, Parks & Cemetery and TAA advising them of the Town's intent to have a joint meeting to address the public safety issues surrounding the use of the Emerson Field and parking lot area.

Competition for 10 Top Voters Participation: Selectman Gandt had the top voter's participation by streets from the May 2007 election. Chairman McArdle stated that if citizens would like to know the percentage of voters from their streets they could contact Selectman Gandt.

Welcome to Topsfield sign maintenance: Selectman Gandt announced that it was incorrectly stated that Parks & Cemetery had not budgeted for the maintenance of the Welcome to Topsfield sign at the corner of South Main and Boston St. Parks & Cemetery had added additional funds in their FY08 budget.

NEW BUSINESS:

Landfill Monitoring Contract: Selectman Gandt made a motion to approve Weston & Sampson of Peabody, MA FY08 for Post Closure Monitoring Services at the Landfill for a cost of \$42,500, seconded by Selectman Clark; so voted 4-0.

Appointments for the Police Force: Selectman Jackson made a motion to appoint the Police Department persons as listed in bold in the memo from Chief Haglund dated June 18, 2007, seconded by Selectman Clark; so voted 4-0.

On Day Liquor License: Selectman Gandt made a motion to approve a one day liquor license to Carol Bax of 55 Great Hill Rd for June 7 during the hours of 5PM – 10PM. Selectman Jackson opposed, stating that the regulations for a one day liquor license is explicitly for non-profit organizations. No one is allowed to charge for liquor that is not holding a non-profit function. Selectman Jackson amended the motion to disapprove the one day liquor license for Carol Bax, seconded by Selectman Gandt; so voted: 4-0.

Chapter 90 Reimbursement: Selectman Clark made a motion to approve the Chapter 90 reimbursement request for \$53,950 from Mass Highway dated June 21, 2007 as signed by Superintendent of Highway and Town Accountant, seconded by Selectman Jackson; so voted: 4-0.

Administrator's Report: see attached.

- Appointments Update: Council on Aging will be appointed for 1 year. If the Attorney General's approval of the bylaw an additional votes will be taken. Selectman Gandt made a motion to appoint Tom Warren of the Conservation Commission to a 3 year appointment, seconded by Selectman Clark; so voted: 4-0

Correspondence & Reports

- Several letters and reports were received:
 - Masco Scholarship Foundation winners were announced: Stephanie Ann Iuni and Gregory B. Leonardi.
 - Letter from Dodds Shamroths requesting infrastructure for an information banner be placed in the downtown area: Discussion surrounded the location of telephone poles that would be needed and who would be responsible for putting up and removing the banner. Selectman Jackson said he would initiate a conversation with Superintendent of Highway and find out some details.
 - Roger Hale submitted another letter regarding the noise at the 120 High St construction site. Ms. Wilder has requested Mr. Hale to contact the Police Department regarding the noise complaints. Copies of the Police reports would be sent to the Town Administrator.
 - Appointments submitted for the Soil Removal Board are as follows: Planning Board Bob Winship and from the Zoning Board of Appeals Lisa Stern-Taylor. It was noted that Conservation Commission needs to appoint a member.
 - Town Moderator has made annual appointments as follows:

Finance Committee	Re-appointed Kathy Hartman	3 year term
Finance Committee	Re-appointed Trudi Perry	3 year term
North Shore Vocational School District Committee	Robert Quayle	1 year term
Memorial Day/Veterans Day Committee	Re-appointment of Matthew Boyle, John Chiffer, David Comeau, Patricia Langdren and Alfred DiDonato.	1 year terms

- Letter from Planning Board to Conservation Commission regarding Kopleman & Paige's opinion relative to Article 97 as it relates to Open Space Deed at 120 High St. Discussion surrounding the continual letters back and forth between both Boards regarding their jurisdiction with the Open Space issue needs to be resolved. Selectman Gandt offered to pen a response for the Board to send to the Conservation Commission.
- Letter received from the Board of Assessors to the Registry of Motor Vehicles declaring that excise bills have not been issued for the school buses in the years 2006 & 2007 that are garaged in Topsfield at the Fair Grounds. Also, they are requesting the list price and date of registration for each bus. There are 37, and an additional 3 buses for the years 2005, 06 & 07.
- Letter received informing Town Clerk, Chief of Police and Fire and BOS of a block party to be held on June 23rd at Mill Brook Lane cul-de sac.
- Letter from the Town Clerk stating that the Attorney General has approved the General By-Laws as written, including the effective date of January 1, 2007 referenced in Article III, section 2-3.2c
- ISO will visit the Town to evaluate the water supply and distribution systems, including the fire hydrant flow.
- Email was received from Conservation Commission to Parks & Cemetery regarding the verbiage of language that should appear on a sign to be placed on Hovey Street at the bridge. This is part of the Certificate of Compliance.
- Memo from Kopleman & Paige was received explaining Chapter 58 of the Acts of 2006.
- Planning Board sent a letter stating the approval of a new road in town, Antoria Way.
- Open Space Committee minutes of March 12, 2007
- Conservation Commission: Certificate of Compliance for 18 Candlewood and 290 Ipswich Rd, Determination of Applicability at 15 Blueberry Lane, Extension of Order of Conditions for 14 Arrowhead Rd, revised summer meeting schedule.
- School Committee minutes of May 10, 2007
- Board of Assessors minutes of May 18 and June 1, 2007
- Council on Aging minutes of May 8, 2007

Warrants: The Selectmen signed and approved warrants in the amount of **\$ 399,563.30**. The breakdown is as follows:

Warrant #FY07: **\$399,563.30**

103T	\$ 72,151.62
103	\$ 90,462.00
104	\$ 236,949.68

Executive Session: At 9:26 PM, Chairman McArdle entertained a motion to go into executive session to discuss Fire Chief Contract, Parks and Cemetery Union Contract, and Highway/Water Union Contract and the Quayle Lawsuit. A yes vote was recorded for Chairman McArdle, Selectmen Gandt, Selectman Clark, and Selectman Jackson. The Board would not return to regular session. Virginia Wilder and Donna Rich were present also.

Respectively submitted,

Donna Rich, Secretary
Board of Selectmen's Office

Approved as amended at the July 9 , 2007 Board of Selectmen meeting.